

DEBORAH M. SMITH
Acting United States Attorney

DANIEL R. COOPER, JR.
Assistant U.S. Attorney
Federal Building & U.S. Courthouse
222 West Seventh Avenue, # 9, Rm. 253
Anchorage, Alaska 99513-7567
(907) 271-5071 - Phone
(907) 271-2344 - Fax
daniel.cooper@usdoj.gov

Attorneys for Defendant/Third Party Plaintiff

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

FAIRBANKS INVESTORS, INC.,)

Plaintiff,)

v.)

UNITED STATES DEPARTMENT OF)
AGRICULTURE, FARM SERVICE)
AGENCY,)

Defendant.)

UNITED STATES OF AMERICA)

Third Party Plaintiff,)

v.)

LYALL BRASIER *aka* LYALL R.)
BRASIER, JR. *aka* LYALL RAYMOND)
BRASIER, JR. and JEANETTE BRASIER)
aka JEANETTE E. BRASIER *aka*)

Case No. 4:05-cv-23-RRB

**MOTION FOR ENTRY
OF DEFAULT AGAINST
FAIRBANKS INVESTORS,
INC.**

JEANETTE ELAINE BRASIER,)
Husband and Wife; VANDER)
WEELE FARMS; and FAIRBANKS)
INVESTORS, INC.,)
)
Third Party Defendants.)

NOW COMES the Defendant/Third Party Plaintiff, United States of America, Farm Service Agency, (FSA) by Assistant United States Attorney Daniel R. Cooper, Jr., pursuant to Civ.R. 55(b), and requests that this court enter the default of Fairbanks Investors, Inc. for failure to plead in or otherwise defend this action, as stated in the attached Affidavit of counsel.

RESPECTFULLY SUBMITTED on May 25, 2006.

DEBORAH M. SMITH
Acting United States Attorney

s/ Daniel R. Cooper, Jr.
Assistant U. S. Attorney
222 West 7th Ave., #9, Rm. 253
Anchorage, AK 99513-7567
Phone: (907) 271-3376
Fax: (907) 271-2344
E-mail: Daniel.Cooper@usdoj.gov
AK #8211109

CERTIFICATE OF SERVICE

I hereby certify that on May 26, 2006,
a copy of the foregoing Motion for Entry of
Default Against Fairbanks Investors, Inc. was
served electronically on John J. Burns - *mailed 5/26/06*

s/ Daniel R. Cooper, Jr.

DEBORAH M. SMITH
Acting United States Attorney

DANIEL R. COOPER, JR.
Assistant U.S. Attorney
Federal Building & U.S. Courthouse
222 West Seventh Avenue, # 9, Rm. 253
Anchorage, Alaska 99513-7567
(907) 271-5071 - Phone
(907) 271-2344 - Fax
daniel.cooper@usdoj.gov

Attorneys for Defendant/Third Party Plaintiff

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

FAIRBANKS INVESTORS, INC.,)

Plaintiff,)

v.)

UNITED STATES DEPARTMENT OF)
AGRICULTURE, FARM SERVICE)
AGENCY,)

Defendant.)

UNITED STATES OF AMERICA)

Third Party Plaintiff,)

v.)

LYALL BRASIER *aka* LYALL R.)
BRASIER, JR. *aka* LYALL RAYMOND)
BRASIER, JR. and JEANETTE BRASIER)
aka JEANETTE E. BRASIER *aka*)

Case No. 4:05-cv-23-RRB

**AFFIDAVIT FOR ENTRY
OF DEFAULT AGAINST
FAIRBANKS INVESTORS,
INC.**

JEANETTE ELAINE BRASIER,)
Husband and Wife; VANDER)
WEELE FARMS; and FAIRBANKS)
INVESTORS, INC.,)
Third Party Defendants.)

STATE OF ALASKA)
) ss.
THIRD JUDICIAL DISTRICT)

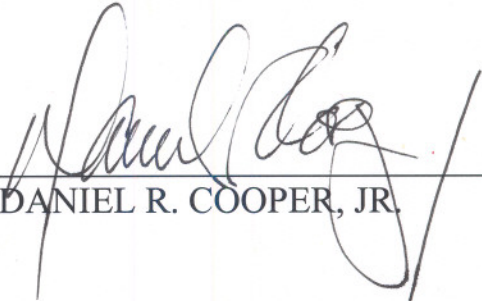
Daniel R. Cooper, Jr., being first duly sworn, deposes and says:

1. I am an Assistant United States Attorney for the Third Party Plaintiff, United States of America, in the above-entitled action.
2. On December 5, 2005, the Answer, Cross Claim, and Third Party Complaint for Foreclosure on Personal Property was sent to John J. Burns, Attorney for Fairbanks Investors, Inc. by U. S. Mail.
3. The time within which Mr. Burns as attorney for Third Party Defendant, Fairbanks Investors, Inc., could plead in or otherwise defend this action has expired without such action by Third-Party Defendant.
4. Application for entry of default of Third Party Defendant Fairbanks Investors, Inc. is being made by Third-Party Plaintiff based on Third

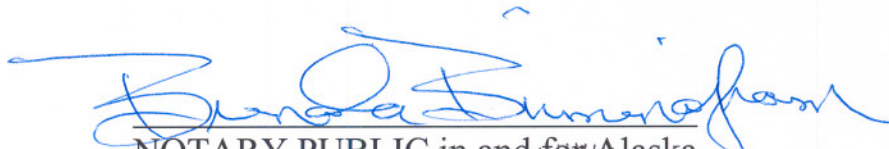
Party-Defendant's failure to plead in or otherwise defend this action.

5. To the best of my knowledge, Third-Party Defendant is not an infant or an incompetent.

FURTHER AFFIANT SAYETH NAUGHT.


DANIEL R. COOPER, JR.

SUBSCRIBED AND SWORN TO before me this 25th day of May, 2006,
in Anchorage, Alaska.


NOTARY PUBLIC in and for Alaska
My commission expires: 5/19/07

